

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA, Plaintiff, vs. JAYCOB TYLER KUTZERA, Defendant.	CR 17-48-GF-BMM ORDER GRANTING UNOPPOSED MOTION IN LIMINE FOR COURTROOM CLOSURE DURING CHILD’S TESTIMONY AND LIMITING PUBLISHING OF CHILD PORNOGRAPHY
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The United States of America filed an unopposed motion in limine to close the courtroom during the minor victim’s testimony and to limit the open publication of sexually explicit images of the child in this case. The motion is filed pursuant to 18 U.S.C. § 3509(e).

The Court finds that there is a significant possibility that disclosure of the victim’s identity and the description of her alleged sexual exploitation and abuse in this case would be detrimental to the child. The request to close the courtroom during her testimony and to limit the public display of her sexually explicit images is narrowly tailored to serve the Government’s specific compelling interest in this

case. Given the victim's right to privacy and that testimony in open court would likely cause substantial psychological harm to the child and could result in the child's inability to effectively communicate, there are no alternatives to closure.

THEREFORE, the United States motion in limine is GRANTED. During the minor victim's testimony, all persons not holding a direct interest in the case will be excluded. In addition, while the courtroom will be open during other witnesses' testimony, publication of all sexually explicit images of the child will be limited to the parties, the jury and the Court.

Dated this ____ day of February, 2018.

Brian Morris
United States District Court Judge